

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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BAKER HOMES TENANT COUNCIL,  
INC.,

Plaintiff,

v.

DECISION AND ORDER  
14-CV-284A

LACKAWANNA MUNICIPAL HOUSING  
AUTHORITY and UNITED STATES  
DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT,

Defendants.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On August 4, 2014, Magistrate Judge Scott filed a Report and Recommendation (Dkt. No. 22), recommending that Defendant United States Department of Housing and Urban Development's ("HUD's") motion to dismiss the Amended Complaint (Dkt. No. 13) should be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, Defendant United States Department of Housing and Urban Development's motion to dismiss the Amended Complaint (Dkt. No. 13) is granted.

The case is referred back to Magistrate Judge Scott for further proceedings.

IT IS SO ORDERED.

\_\_\_\_\_*Richard J. Arcara*\_\_\_\_\_  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: September 9 , 2014